IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 24012 OF 2007

DATED: 19-12-2007

BETWEEN:

Dhanagala Venkata Ramanamma

.....Petitioner

AND

The District Collector,
East Godavari District and two others

.....Respondents

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 24012 OF 2007

ORDER:

This writ petition is filed for issue of a writ of mandamus to declare order dated 16-10-2007 passed by respondent No.1, whereby he rejected the objections filed by the petitioner as illegal.

An extent of 50 cents of dry land situated in Survey No. 203 of S. Bhavavaram Village, Karapa Mandal, East Godavari District was proposed to be acquired by the respondents. In response to the notice issued under Section 5-A of the Land Acquisition Act, 1894, the petitioner filed her objections, which were considered by respondent No. 2 and on the report submitted by him, respondent No. 1 vide proceedings dated 16-10-2007 rejected the same. Assailing the said order, the present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Land Acquisition. Respondent No. 2 filed a counter affidavit in which he justified the order passed by respondent No.1. From a perusal of the impugned order, it is evident that respondent No.1 has considered the objections filed by the petitioner in detail and rejected the same by giving reasons. This Court while exercising jurisdiction under Article 226 of the Constitution does not re-examine the merits of the decision.

Since the petitioner was given the required opportunity to put-forth her objections, I am satisfied that the decision making process by which the petitioner's objections have been considered does not suffer from any material irregularity or procedural impropriety warranting interference of this Court in exercise of its discretionary jurisdiction under Article 226 of the Constitution of India.

For the aforementioned reasons, the writ petition is dismissed.

C.V. NAGARJUNA REDDY, J

19-12-2007
ks